UNITED
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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/18
25 January 1990

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 9 of the provisional agenda

QUESTION OF THE REALIZATION OF THEE RIGHT TO DEVELOPMENT

Written statement submitted by the International Federation of Rural Adult Catholic Movements, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[4 January 1990]

1. In all countries, the agricultural worker wishes to live from his labours. Everywhere, he asks for the right to shape his own development. His task is to produce food to sustain both himself and his fellow man, but he finds only too often that he is diverted or hampered in this task.

2. In the 25 years of its existence, the International Federation of Rural Adult Catholic Movements has worked unceasingly to enable agricultural workers to analyse their situation and express their views, so that they may be brought to the attention of those responsible for decisions concerning their future. At their meeting in Belgium in October 1989, officials of the Federation from Latin America, Africa, Asia and Europe once again noted that the right of agricultural workers to development is too often flouted or ignored.

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3. They were not content, however, merely to note the situation. They also gave evidence of action taken by the workers themselves to promote their development. In so doing, they were furthering those rights recognized by the universal charters and declarations concerning human rights, the basis of which is the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations on 10 December 1948.

4. Land continues to be the major problem for agricultural workers. Either there is insufficient to meet the needs of the population (for example, in Rwanda) or its distribution is very unequal. In many countries, land is bought up by rich owners for export crops. Elsewhere, it is those responsible for the political or economic sectors who impose export crops, thus depriving workers of essential products.

5. It would seem, therefore, that land is a world-wide object of contention. In the struggle for their development, those working on the land are calling for just agrarian reforms which will enable them to live in dignity from the fruits of their labour. In those areas where land has been taken over by multinationals or others, they demand the return of what is a vital element of their existence.

6. In the view of those at the meeting of the Federation, the right to development is also manifested by the necessity of nature conservation. In many areas, such production policies as intensive farming, the excessive use of chemicals and crops for profit only result in the deterioration of the soil and the destruction of the natural ecological balances.

7. Since the right to a more humanitarian existence is one aspect of the right to development, agricultural workers demand genuine management of the soil. In many countries, such as Mexico, for example, they are organizing to combat soil erosion. As a result, they are developing crops which provide subsistence for all. In many places, in the face of the export crops policy, groups are developing "alternative crops and techniques" to enable them to live from their labours and their products.

8. During the course of the meeting, officials stated that "the destruction of the natural ecological balance is economic death for the agricultural worker". This sentiment is today reinforced by the cries of alarm heard in many places as a result of the destruction of the Amazon rain forest.

9. Land workers are aware that their demands for the right to development are coming up against economic policies whose mechanisms they do not control. Thus, in Europe, agricultural production is partly oriented towards exports to earn foreign currency for the State concerned. Elsewhere, if it is not the State, it is the big landowners or the multinationals that apply the same policy: the utilization of agricultural production for financial gain.

10. Faced with this situation, the agricultural workers assembled at the Federation meeting identified with the following declaration of one of their Latin American members: "Organized as a union of agricultural workers, we demand an agricultural policy which will provide food for the people rather than earn foreign currency". Echoing this sentiment, an African official stated: "To change our method of farming, we must be bold. The road we are taking is difficult. But we are convinced that we hold in our hands some of the keys to the attainment of self-sufficiency in food".

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11. For this reason, the agricultural workers are organizing themselves into production groups, co-operatives and so on. And as a lady member from Thailand said, "The task of organization is similar to our task as agricultural workers. It requires a lot of patience. We have to prepare the soil, sow, plant out, check growth, weed and hoe. Only after a lot of time and effort are we able to harvest the fruits of our labour."

12. The agricultural workers are continuing this patient work to express their right to recognition, in "the struggle for integral development which respects man, his culture and nature".

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/19
25 January 1990

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Items 13 and 23 of the
provisional agenda

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 January 1990]

1. The International Federation of Human Rights (FIDH) has regularly followed the grave events which have continued in Haiti since the excesses of the Duvaliers and succeeding Governments.

2. In December 1988, a mission was present during the preparations for the tragic elections which led to the massacre of which we are all aware.

3. Following the removal of General Namphy, who had organized that act of repression to frustrate the wishes of the Haitian people for democratic elections, FIDH once again sent a mission to Haiti. Its representatives were received by General Prosper Avril, who affirmed his desire to respect human rights. The mission was able to meet political detainees and obtain a measure of clemency for the young soldiers said to have been responsible for a coup against the established authorities.

4. On this occasion, General Avril had given a number of pledges indicating his desire for a dialogue with all political elements in the country, the demilitarization of the local police forces, which are armed and still very close to the "makouts", and the establishment of a timetable for the resumption of the democratic and supervised electoral process.

5. It must be pointed out that no action has been taken on these commitments and that violations of human rights have, in fact, continued as before. One outbreak of violence is followed by another and the situation is deteriorating further each day.

6. It would be appropriate to recall that, over the past six months, tragic events have created a dramatic situation in Haiti.

(a) On 1 November, three political militants and trade-union leaders were arrested on charges of conspiring to assassinate General Avril. These three militants, Paul Evans, Etienne Marineau and Auguste Mesyeux, were arrested without a warrant, contrary to the provisions of the Constitution, in a house where they were holding a meeting. They were not in possession of any weapons. Once in detention they were savagely beaten. No certified report was drawn up and no justice of the peace was called to determine whether there was any material evidence of a crime. People living in the district where the arrest took place witnessed from a distance a scene in which the military personnel themselves planted weapons in the trade-union leaders' car. These witnesses revealed as much publicly on the radio and said they were ready to testify if an open trial was held. The three detainees have been kept in prison without proper care since 1 November. It was not until 19 November that arrangements could be made for them to be visited by their personal doctors, who were forced to discontinue their visits because of the obstacles placed in their path. The three men are still in prison at this time, the examining magistrate having referred their case to the criminal court, and they are being held in preventive detention in defiance of the law, the Universal Declaration of Human Rights and the principle of human dignity set forth in article 44-1 of the Constitution. Yet, it has not been possible to find any evidence relating to the conspiracy, which was fabricated entirely by the military themselves.

(b) On the evening that the three political militants were arrested, the same military personnel entered the home of Me Joseph Maxi, president of the Haitian human rights league, without a warrant looking for ex-Sergeant Bochard, who they claimed was an accomplice to the alleged conspiracy.

(c) Two days later - on Friday, 3 November - they returned to Me Joseph Maxi's home. It seems likely from their behaviour that Me Maxi would have suffered the same fate as the three detainees had he been found. His house was surrounded and the military personnel kept watch along the road leading to it. Me Maxi has been forced to remain in hiding ever since.

(d) On 17 November, three young Manigat supporters were shot as they were writing anti-Avril slogans on walls. One of them was dragged along behind a car, with a rope around his neck, until he died. That crime was committed by persons in military uniform.

(e) Jean-Baptiste Chavannes, the spokesman of a peasant movement at Hinche, in the central plateau area, also received a visit from members of the presidential guard, who ransacked the community centre, knocking down and breaking everything they could find. They threw one of the members present to the ground and trampled on him, uttering all kinds of threats. Since then, Jean-Baptiste Chavannes has been forced to remain underground.

7. Consequently, the International Federation of Human Rights urges the Commission to react to the persistent violations of human rights in Haiti and to continue to monitor the development of the human rights situation there, at the very least by extending the mandate of the expert appointed to provide advisory services.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/20
30 January 1990

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 23 of the provisional agenda

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

ASSISTANCE TO THE GOVERNMENT OF GUATEMALA IN THE FIELD OF HUMAN RIGHTS

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[22 December 1989]

1. The repeated violations of human rights in Guatemala once again oblige the Women's International Democratic Federation (WIDF) to present information and reports concerning events which particularly affect women and children and involve the denial of fundamental human rights such as the right to life and the right to an assured subsistence.

2. Bearing in mind the information received from its national organizations and that conveyed in various media by world public opinion, the Women's International Democratic Federation expresses its deep concern over the continuation of repressive measures designed to stifle popular demands without recourse to peaceful solutions.

3. Numerous terrorist attacks have been committed against the democratic grassroots movement, demonstrating a repeated contempt for human life. Moreover, WIDF has received reports of a marked decline in the living conditions of the population, leading to an alarming rise in the infant and juvenile mortality rate.

4. The Women's International Democratic Federation, conscious of the adverse effects of the persistent human rights violations on the lives of women and children, calls upon the Commission to renew the mandate of the expert appointed by resolution 1989/74 with a view to continuing to provide assistance to the Government of Guatemala and preventing a continuation of such violations.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/21
30 January 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 4 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Written statement submitted by the International League for the Rights and the Liberation of Peoples, a non-governmental organization on the Roster

[15 January 1990]

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

Situation in the occupied territories: December 1987 - August 1989 - Intifadah

1. One year after the declaration of independence of the Palestinian State, Israel is still rejecting all political peace solutions proposed by the Palestinian people; its only reaction has been a dramatic increase of repression and violation of human rights in the occupied territories. The International League for the Rights and the Liberation of Peoples denounces the Israeli crimes set out below.

The economic situation

2. The "Tax Revolt" is a form of civil disobedience being carried out in many towns and villages of the West Bank and Gaza. Article 48 of the 1907 Hague Convention is daily violated, the Israeli occupation forces are steadily stepping up the amount of taxes imposed on the Palestinian population as a form of punishment and not for the purpose of territorial administration.

3. Tax officials erect tax checkpoints at the places of access to the West Bank. During July 1989, the raids carried out by the army covered 42 areas in the West Bank. Those refusing to pay can be detained, as well as have their assets seized and their identity cards taken away. Five days of "tax raids" took place at Nablus, with 70 traders arrested and 100 identity cards confiscated. Stores and markets are shut down permanently under the pretext of unpaid taxes, cars are taken away every month, many shepherds have had their sheep confiscated. Some areas were placed under curfew, while for a period of two months a "sea curfew" was imposed on the Gaza fishermen for security reasons.

4. Last June, in the village of Douma, near Nablus, 10,000 dunams of land were expropriated by nature Protection Authorities. In the village of Deir-Sharaf (Nablus) 63 dunams of land were confiscated for the building of a settlement. To inflict collective punishment, the army imposes arbitrary economic sanctions by seizing industrial goods and harvests and preventing the transportation of goods to Jordan. In the same month, the army uprooted 2,435 olive and lemon trees in the West Bank plus 100 in Gaza, in addition to those burnt down by the settlers.

Military orders and repression

5. The Central District Commander Amran Mitzna resigned and has been replaced by the former Southern District Commander Yitzhak Mordechai, well known for his hardline policy and heavy-handed repression in Gaza. Defence Minister Rabin officially asked the Minister of Justice to find a "legal solution" allowing three major repressive measures: permitting expulsion within 72 hours to one week after initial order; legal provision to increase the term of administrative detention from six months to one year; enabling the security forces to demolish or seal houses without appeal.

6. These are not new measures: indeed, the army's request is for legal cover and not for the implementation of new measures. They appear as an attempt to prevent all judicial interference into the army's operations in the territories. In fact the increase of demolitions and sealing of houses represents a "standard measure". Two cases should be reported:

(a) In the village of Waljeh (Bethlehem district) the Hajajleh family house was demolished. This case is important as the family was in the process of appealing the demolition order in court.

(b) The High Court ruled that the army can destroy a house for security reasons even if the offender was only renting the house or a room in the house.

7. The Central District Commander has taken new repressive measures to fight the uprising: by opening fire on Palestinians whose faces are covered by keffiyans or masks, which is most current for protection reasons; by imposing complete closure and prolonged curfew in areas where attacks or confrontations are taking place; by establishing military blocks or checkpoints on roads used by Jewish settlers; by launching raids on remote villages which are placed under total curfew in order to ensure complete control; by helicopters participating in raids on villages, in co-ordination with the Israeli Air Force; by increasing arrests of activitists listed by the Security services, some of whom are executed.

8. To explain the dramatic increase of the brutality and violence, some cases have to be mentioned:

(a) 12 October 1989: Soldiers wearing civilian clothes kill Hajaj, 18, of Gaza City while he is writing graffiti;

(b) 26 October 1989: Jenin had been under legal curfew for 76 consecutive nights;

(c) 1 November 1989: A reserve army unit composed of Israeli settlers from the West Bank starts service in the Hebron area;

(d) 12 December 1989: a 20 day-old baby, Barat Labadi, is killed while Israeli soldiers are raiding her parents' house (Yamun, Jenin District). A Palestinian physician declared that Barat was trampled underfoot.

Increasing number of victims

9. A total of 730 deaths were recorded between December 1987 and August 1989 of which 176 were children, 121 of them killed by gunfire and 71 women and girls, 29 of them killed by gunfire.

10. Deportations: 58 men were expelled under Emergency Defence Regulations for "secret security reasons". The last five prisoners under deportation orders were expelled from the West Bank to Lebanon. A new kind of punishment has been implemented: mass expulsions of "non-residents" have been epidemic; 41 adults and about 44 children have been expelled from the West Bank since August 1989. On 27 August 1989, Israel carried out these most recent deportations in spite of an international consensus against its policy of expelling Palestinian leaders.

11. Injuries: Several sources give the estimate of 70,000 injuries requiring medical treatment. Roughly half of the injured are to children. Seriously debilitating conditions account for nearly half the injuries resulting from beating.

12. Prison deaths: 12 men or youths have died in prison (shot, died under interrogation, refused medical treatment). In October 1989 the Israel Judge Advocate General announced that of the 40,000 Palestinians arrested since the beginning of the uprising 13,600 remain in prison. Eight thousand four hundred of these are being held as administrative detainees without charges having been filed against them. Over 1,000 detainees are women. The number of detainees having served more than one period of administrative detention is at least 500. Currently, there are 1,900 Palestinians under administrative detention. At least five persons were given one year administrative detention under new regulations in effect since August 1989.

Restriction of movement: Hundreds of persons were given special green identity cards, issued only after tax and security checks, prohibiting exit from the West Bank or Gaza. As a form of protest, Palestinians estimated that 70 per cent of the residents have not applied for the said cards.

13. Military detention centres: More information is received about Meggido, a new prison near Takna. There is a cell for detaining activists of the intifadah. In this cell 16 prisoners are isolated from the 1,700 others. Beatings, humiliations and collective punishments are daily occurrences. Medical treatment is poor. Residents of Rashaideh (Bethlehem) report that a new tent detention centre south of Takia is nearly completed. There are 60 tents. The centre is reported to contain 4,500 detainees. Two appeals from Fara and Anata prisons have been issued to denounce the catastrophic conditions of the prisoners.

Closure of schools

14. The campaign to pressure the Israeli authorities into reopening the West Bank and Gaza shcools and universities accelerated in June 1989. Meanwhile, international pressure has increased: British voluntary agencies issued a public statement protesting against the closure; the UNESCO General Conference, on 31 October 1989, condemned the closure of the conclusion of its meetings in Paris. In August 1989 all grades of Palestinian schools were reopened, continuing the process that had begun in July with the reopening of elementary schools. However, no sooner were schools reopened than the military began closing them once again. The reason given for all the closures was that students were participating in "disturbances". In October 1989 Israel closed 72 schools and raided 12 in the West Bank and Gaza. During the last week of October, the Israeli authorities ordered the current academic year to end on 13 November 1989 for all schools in the occupied territories; classes will not resume until January 1990. Schools were officially reopened in August 1989, after seven months' continuous closure, but due to frequent closures and curfews students have still not been receiving a consistent education. As a result, for the 30,000 secondary school students, there were less than two months of classes during the whole academic year.

15. The International League for the Rights and the Liberation of Peoples urges the Commission on Human Rights to condemn the Israeli policy. We are of the opinion that the rejection of each peace proposal induces new escalations of violence and repression and constitutes a danger to peace, in the territories and elsewhere. Israel as well as all signatory States have the duty to respect and comply with the Geneva Conventions in the occupied territories. Furthermore, given Israel's continuous violations of the Geneva Conventions, relevant economic sanctions should be imposed. The International League for the Rights and the Liberation of Peoples exhorts the Commission on Human Rights to appointed a permanent United Nations observer in the territories to defend the civilian population and to guarantee respect for the rights of the Palestinian people.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/22
30 January 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 4 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Written statement submitted by the International Organization of Journalists, a non-governmental organization in consultative status (Category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[17 January 1990]

1. The International Organization of Journalists (IOJ) would like to draw the attention of the forty-sixth session of the United Nations Commission on Human Rights to the serious deterioration of the situation of human rights in general, and of journalists, Palestinians and foreigners, in particular, in the Israeli occupied Palestinian territories.

2. The period which has elapsed since the forty-fifth session of the Commission has been characterized by the widespread use by the Israeli occupation authorities of such practices as killing, torture, imprisonment, administrative detention, expulsion, demolishing of houses, imposition of curfews for long periods and other forms of collective punishment. In their attempts to put an end to the Palestinian uprising, which is already in its third year, the Israeli authorities have stepped up their repressive measures, which have affected all aspects of life in the occupied Palestinian territories.

3. Information received by IOJ indicates that, during 1989, around 160 Palestinians, including women and children, were killed by the Israeli occupation authorities and Israeli colonial settlers in the occupied territories, bringing the number of killed since the outbreak of the uprising to around 1,010 persons. Thousands were injured and around 30,000 were held in jails or detention camps at one time or another during the past year. It is estimated that there are at present some 5,000 held in jails and detention camps, including the notorious Ansar detention camp.

4. Palestinian and foreign journalists have been the target of special Israeli persecution and curtailment of freedom to exercise their professional duties. The Israeli repressive actions have taken the form of restrictions on licensing of newspapers, suspension and revoking of publishing licences, restriction on distribution of publications, restriction on access to information, censorship, harassment of journalists, arrest and detention of newsmen, deportation of Palestinian journalists to other countries, restriction on movement, raids on newspaper and press offices, etc.

5. Information received by IOJ indicates that the Palestinian press and Palestinian journalists have been the victims during the past year of the following measures by the Israeli authorities:

(a) The licence of two Palestinian publications - Al-Awdah (English version) and Al-Awdah (Arabic version) - have been permanently revoked;

(b) Six Palestinian press offices have been closed;

(c) Licenses for distributing newspapers in the occupied territories, outside East Jerusalem, have been suspended 12 times for over 180 days, affecting all four East Jerusalem dailies. Three other Palestinian publications continue to be denied permits to distribute in the occupied territories outside East Jerusalem;

(d) Distribution of Palestinian papers has also suffered routine interference due to the Israeli military's confiscation of papers, harassment of distributors, and imposition of curfews and closed military areas;

(e) Strict censorship of the Palestinian press has been increased to an extent which routinely exceeds consideration of security and public order;

(f) At least 71 Palestinian journalists have been detained for periods of more than 48 hours, including officials of the professional union of Palestinian journalists in the occupied territories, the Arab Journalists Association, Palestinian journalists have been detained under administrative detention orders or otherwise without charge or trial on at least 76 occasions;

(g) At least three journalists have been placed under town arrest by administrative order;

(h) At least 78 per cent of the documented cases of detention or movement restrictions imposed on Palestinian journalists have been implemented without trial or sentencing of the detainees;

(i) Four full-time Palestinian journalists have been deported from the West Bank and the Gaza Strip to neighbouring countries;

(j) Frequent and widespread curfews and closed military areas have resulted in severe restrictions on the ability of the press, particularly the foreign press, to cover news in the occupied territories;

(k) Incidents of harassment by the Israeli military and armed Israeli civilians against Palestinians have become routine. On numerous occasions, journalists have been threatened, beaten, or even shot, and cars and equipment have been destroyed.

6. Recent policy pronouncements by Israeli government officials, including the Prime Minister and the Minister of Defence, indicate that the Israeli Government is determined to continue and intensify its violation of human rights in the occupied Palestinian territories.

7. In the light of this situation, IOJ urges the United Nations Commission on Human Rights to take all necessary measures to guarantee respect of the human rights of the Palestinian people and to put an end to Israel's continued disregard for them, especially its persistent violation of the Fourth Geneva Convention, and of the right of the Palestinian people to self-determination and independence.

8. IOJ assures the United Nations Commission on Human Rights of its full support and co-operation in this regard.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/23
30 January 1990

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Forty-sixth session
Item 13 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND THE FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (Category II)

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV)

[17 January 1990]

Child victims of violence and armed conflict

1. The International Federation Terre des Hommes is deeply concerned at the fate of children confronted with violence and armed conflict. Such experiences can have disastrous and irreversible consequences for their physical and mental health. Violence and armed conflicts constitute a negation of all the fundamental rights of children.

2. Children are the prime victims in cases of armed conflict or situations of unrest. Violence can affect them directly in several ways, either when they are enlisted voluntarily or forcibly in the troops of the opposing parties or in their daily lives with their parents. In all cases, war and violence destroy childhood.

3. A number of provisions protect the civilian population in general and children in particular in present-day international humanitarian law, by imposing obligations on the opposing sides. In the Fourth Geneva Convention

of 1949, no less than 17 articles afford special protection to children. In practice, however, it has to be acknowledged that, in all parts of the world, there are many regions where the provisions of international humanitarian law that protect children in case of conflict are not respected.

4. In some 50 States there are child soldiers, often forcibly enlisted, who fight in the front line and are thus exposed to the injuries that can be caused by war. Children are an easy prey for the opposing parties. They are in a situation of dependence, and therefore psychologically more malleable than adults, easier to indoctrinate, without any real capacity for judgement, and consequently more obedient. It is easy to send them to the front line to come under fire. They risk death or physical and psychological injuries that will mark them for life. Those who are more fortunate may see their friends die fighting at their side or are themselves affected by the suffering they were compelled to inflict on others. Thus, they are plunged directly into a world of hatred and violence which children should, in the normal course of events, be spared. In Mozambique and Angola, very many children have died in action or have been involved in unspeakable atrocities.

5. When children are captured, they run the risk of being exposed to inhuman and degrading treatment and, like adult prisoners, may be detained for years. It is not unusual for soldiers and other armed forces to ill-treat young people in order to force them to make a confession. For instance, in Peru a soldier even defended preventive murder by saying that from the age of two onwards a child can be a "guerrillero" and should be eliminated before he kills in turn.

6. The ill effects suffered by a child who participates directly in an armed conflict are incalculable. From his earliest years, he is deprived of his childhood and flung into an adult world which he can neither understand nor master. The younger he is, the less he is able to understand the reason for war and its attendant horrors. The result is behavioural problems and anti-social attitude of repression and aggressiveness, nightmares and many other signs of traumatism.

7. The fate of children remaining in the civilian sphere is scarcely more enviable and sometimes even worse. In time of war, children in uniform may be better supplied with food and medicines. Civilians and children in particular may well see their family suffer or die and they live in an atmosphere of brutality and fear which is beyond their understanding. Children thus develop several kinds of reaction which may be disastrous for their adult future.

8. In Lebanon, for instance, according to testimony received by the IFTDH, children become young adults prematurely, who have their "heros" and whose only wish is to imitate them with a gun, whether wooden or real. Drawn against their will into that conflict, the games they play are simulations of war and shooting, with the injured and dead loaded on to a wheelbarrow. They recognize the most sophisticated weapons from the sound made when they are fired and flying through the air. Other children are traumatized by noise or by having spent too much time sheltering in cellars. Others are no longer able to cope with normal schooling because they cannot concentrate. Those who were born in wartime can no longer imagine any other life. There are also the children who are sent by their families to continue their education abroad. They suffer from the early separation from their families.

9. Once the conflict is ended, a generation of young people who have never known peace poses an arduous problem for a State weakened by war. These children come to regard violence as an ordinary social phenomenon and they find it difficult to learn to live any other way.

10. Armed conflicts also involve population movements, and the refugee problem affects the world of childhood acutely. At least half of the 12 to 14 million refugees in the world today are children. Child refugees are twice as vulnerable when they are alone. The same is true of children displaced inside their own country, as they usually suffer the same ill-effects as others but have less access to the guarantees and aid given by the international community. The misfortunes of refugee children include protracted stays in camps, their separation from their place of origin and the breaking-up of the family circle.

11. Children living at a time of armed conflict are not alone in suffering from violence. Others may be equally affected in a climate of internal unrest and repression. Children have their own and very intense way of living out the tragedies that strike their families. The arbitrary detention of their parents produces a particularly acute traumatism. In such a situation, they live in a state of constant tension, unable to understand the reasons for the absence of one of their parents, and they are helpless witnesses to the break-up of their family. If the head of the family is imprisoned, the children are likely to have to face in addition deprivation, malnutrition and the stigmata of social ostracism.

12. Specialists in treating child victims of the violence rife in the Philippines, for instance, say that many children suffer from emotional and adjustment problems. The most common symptoms are repression, depression, irritability, insomnia and extreme anxiety brought on, for instance, by the sight of a man in uniform, armed or not, or simply by noise. These children fall behind at school and many of them are in a situation of extreme poverty. The same findings have been made by specialists caring for children in Latin America and elsewhere. Clearly, the structural violence in the Philippines and other countries jeopardizes the future of these children.

13. In those countries where there is internal unrest and where human rights defenders are targeted for repression, their children have an equally unenviable fate. Parents who are constantly obliged to move and to hide cannot create for their children a family environment that is harmonious and confers a feeling of security. Thus, long before their parents are reported missing, arrested or killed, the children are already faced with a destabilizing situation. All too often, the children themselves are victims of violations of all their fundamental rights and are compelled to undergo arbitrary arrest, torture and every kind of inhuman and degrading treatment. In South Africa, for instance, the punishment of children is used as a method of controlling an entire community.

14. In conclusion, the IFTDH welcomes the recent adoption of the Convention on the Rights of the Child and hopes that this international instrument will be ratified by a large number of States, so that it may help to bring the violence that destroys children to an end. The IFTDH regrets, however, to see

that the provisions concerning armed conflicts weaken the rules of international humanitarian law in force. Some conflicts appear to be inevitable. In such cases, some 30 provisions of humanitarian law are designed to afford special protection to children in armed conflicts. Belligerents are duty-bound to ensure in particular compliance with these provisions at all levels of responsibility, whether military or civilian, so that the fundamental needs and rights of millions of children may be guaranteed.

UNITED
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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/24
30 January 1990

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 13

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 January 1990]

1. The Women's International Democratic Federation applauds the considerable efforts made by the Commission on Human Rights to uphold the national rights of the population living under Israeli occupation in southern Lebanon.

2. The Federation draws the Commission's attention to the difficult conditions in which the population, particularly women and children, are living in the part of southern Lebanon occupied by Israel.

3. This statement is based on reports sent to the Federation by its branch in Lebanon, by the Lebanese Women's Rights League, by the Lebanese Democratic Lawyers' Association and by the Ansar Camp Former Detainees Group.

4. Israel has been occupying the border area of southern Lebanon since 1978. Despite United Nations Security Council resolutions 425 (1978) 508 (1982) and 509 (1982) calling for their immediate and unconditional withdrawal, the invading forces have continued their occupation of the area, referred to as a "security zone", with the help of the so-called "South Lebanon Army".

5. Their repressive acts have been of different kinds, but are all crimes against humanity and flagrant violations of human rights.

6. Almost every day, towns and villages in the south have been subjected to heavy shelling from the so-called "security zone" by the Israeli army and its ally, the South Lebanon Army. Villages such as Majdel Selm, Shaqra-Arab Salim, Touline, Zaoutar, Shebaa and Kfar Houneh have been the civilian targets of deliberate shelling to frighten the inhabitants and force them to leave their villages. The village of Zellaya has been deserted by its population following continual shelling by the occupation forces.

7. The most recent examples are: the siege of Aita Shaab (begun on 24 October 1989); Shebaa, which was under siege for over three months in early 1989, and again for over 15 days in October, during which the occupying forces forced their way into homes and incarcerated five inhabitants, including an elderly man of 70, in the concentration camp at Khiam; and the siege of Kfar Houneh, Houla and others, during which food supplies were cut off and the inhabitants prevented from moving about freely and earning or even scraping a living.

8. Another equally criminal practice of the occupation forces has been to expel people living there from the occupied zone. The only offence committed by such persons has been their refusal to co-operate with the occupying force, particularly in setting up a local administration under its authority. Whole families from Shebaa, Deir Mimas, Kfar Shouba and Ibl el Saqi have been expelled. Those expelled have been school headmasters, teachers, students, women, elderly men, and mothers and infants. Last February, whole families (70 persons) were expelled from Shebaa, in flagrant violation of the Universal Declaration of Human Rights, article 49 of the Fourth Geneva Convention, and all international agreements and instruments. The expulsion and detention of teachers and students and the closure of schools also constitute a flagrant violation of the Constituent Act of UNESCO. The most recent example has been the detention, since 3 November 1989, of the headmaster and two teachers of the official school at Aitaroun. On 27 November 1989, according to Agence France-Presse, the occupation forces expelled 21 people, mostly women and children, belonging to the families of three soldiers who had refused to continue serving in the South Lebanon Army. In April 1989, the Israeli occupation forces expelled 300 Lebanese citizens after confiscating the seven farms owned by them in a strip 3 to 6 km wide and 5 to 10 km long on the western flanks of Mount Haramoun, where the Lebanese, Syrian and Palestinian borders meet.

9. The most serious violation of human rights has been the establishment of detention centres, among them the infamous camp at Khiam, where hundreds of detainees live in poor conditions and are subjected to torture. No news of them has been received since their detention because the International Committee of the Red Cross has been refused access to the camp. These prisoners include 35 women, among them the militant Saha Beshara, who is in great danger, according to alarming reports in the press. Mr. Ouri Lobrani, "the co-ordinator of Israeli activities in Lebanon", said on Israeli television on 26 October 1989, that "this young woman will soon know the suprise we're preparing for her", a statement which has only strengthened fears as to her fate.

10. The Federation, concerned about the inhuman acts of the Israeli occupation forces in southern Lebanon, welcomes resolution 1989/65 adopted by the Commission on Human Rights at its forty-fifth session, and calls for:

(a) The immediate withdrawal of Israeli troops from southern Lebanon, in conformity with Security Council resolutions 425 (1978), 508 (1982) and 509 (1982);

(b) An end to Israeli intervention in the internal affairs of Lebanon;

(c) The release of the detainees from the concentration camps and permission for the persons expelled to return to their homes and farms;

(d) All non-governmental organizations and democratic and peace-loving movements to express their solidarity with those Lebanese who have been detained or expelled.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/25
31 January 1990

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1295 (XLIV).

The human rights situation in El Salvador

1. In the view of the International League for the Rights and Liberation of Peoples (ILRLP), recent events in El Salvador show once again that real democracy in Central America is bound to fail if it tries to establish itself without first changing the unfair rules governing the distribution of wealth and participation in politics, especially where, behind the façade of a "democratically elected" government, there remain in place the oligarchic and military structures previously linked to the paramilitary groups responsible over many years for kidnapping and murdering teachers, clergy, trade union activists, workers, peasants and students.

2. When the Arena party came to power in June 1989, many national and international organizations working in the field of human rights issued official statements expressing doubts, fears and criticisms.

3. Subsequent events, particularly those of recent months, have unfortunately only confirmed their worst apprehensions and have glaringly belied the firm commitment publicly assumed by President Cristiani in the speech he gave at his investiture on 1 June 1989 to respect human rights and the rights of his people.

4. The new régime's policies are still based on terror and the elimination of any real or supposed opponent. Violations of fundamental freedoms have reached staggering heights, while social, economic, cultural, civil and political rights continue to be trampled under foot and, what is most important, there has been no progress towards a genuine, rational solution to the internal armed conflict through the application of the Esquipulas II Agreements.

5. The figures for 1989 reveal a most appalling situation: 2,524 arrested; 1,961 murdered; 4,582 wounded; 575 disappearances; 284 assaults and attacks on civilians; or a total of 9,926 cases.

6. No part of the country has escaped this renewed outbreak of repression.

7. The wave of violence unleashed against the Church is due to a deliberate plan of the régime, namely to obstruct the very important humanitarian work it has done to help the civilian population, such as providing people with shelter by turning churches into refuges in order to mitigate the effects of the Government's unwillingness to respect civilians, who have been subjected to savage shelling, particularly during the recent clash between the army and the FMLN.

8. The most tragic event in all this was the murder of four Spanish Jesuits and three Salvadorians perpetrated by Government armed forces on 16 November 1989. The victims all belonged to the University of Central America (UCA), long accused by the authorities of being a hotbed of subversion in contact with the rebels. In that connection, it must be noted that the Attorney General, Mauricio Colorado, wrote the Pope a letter requesting the recall of all bishops in El Salvador and accusing them of being themselves responsible for the violence they were suffering "because of their questionable adherence to the Church of the Poor".

9. Other clergymen have been persecuted and forced to leave the country, notably the Lutheran Bishop Medardo Gomez and the Reverend Edgar Palacios. Archbishop Rivera y Uamas, on the other hand, has remained in El Salvador despite the death threats made against him.

10. The Government of El Salvador recently announced that an investigation has identified those responsible for the massacre of the Jesuits and has given its assurance that they will be brought to justice. This case should be followed closely, in order to ascertain the identity and rank of the accused and see whether the judicial inquiry leads to a trial or, once again, remains merely an empty promise.

11. Other violations concern the rights of trade unions, for example the very serious car-bomb attack on the headquarters of FENSTRAS (Federacion Nacional Sindical de Trabajadores Salvadoreños) [National Trade Union Federation of Salvadorian Workers] on 31 October 1989, which killed 10 people and injured 30, including Febe Elizabeth Velásquez and Julio Portillo, leaders of UNDS (Unidad de los Trabajadores Salvadoreños) [Salvadorian Workers' Unity].

12. Mention should also be made of the case of Guillermo Rojos, who was injured on 31 October 1989 in the same attack; while in hospital, an attempt was made to kidnap him, which failed because another person was taken in his place.

13. The League finds that the International Covenant on Civil and Political Rights is being constantly violated in El Salvador.

(a) Through the introduction of a state of siege and a curfew, in which the military authorities have no regard for people's civil and political rights whatever the circumstances; and

(b) Through the adoption by the legislative assembly of an anti-terrorist law infringing such guarantees of legal and juridical protection and fundamental rights as freedom of expression, freedom of thought, equality before the law and the right to the equal protection of the law.

14. One of the most serious violations committed by the Salvadorian régime is the disregard for humanitarian law applicable in armed conflicts, which is covered by the Geneva Conventions of 12 August 1949 and the two additional Protocols adopted in 1976, all ratified by El Salvador; the Second Protocol on non-international armed conflicts is particularly relevant to the situation in El Salvador.

15. In that respect, the following violations are to be noted:

(a) The bombardments of FMLN hospitals, the most serious of which occurred in March 1989 near the village of El Chupadero (Department of Chalatenango) causing the death of 10 doctors, 4 nurses and of 3 people war-wounded. This violation has already been condemned by a resolution of the European Parliament, dated 25 May 1989, and resolution 1989/9, dated 31 August 1989, of the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(b) The bombardments of civilians during the clashes between Government forces and insurgents in November 1989, which were condemned by resolution 44/165, dated 15 December 1989, of the United Nations General Assembly. The repression of the civilian population has continued in the form of harassment and reprisals accompanied by illegal house searches and the destruction of private property;

(c) The refusal of the Government and the army to permit the ICRC, the Salvadorian Red Cross and the churches to enter bombarded areas during the November 1989 offensive in order to evacuate wounded civilians. In that connection, attention should be drawn to the case of four ambulances which were attacked by gunfire that wounded two people. That attack was also condemned by the Sub-Commission in its resolution.

16. These violations of all international human rights covenants and conventions are in reality only a strategem employed by the authorities and the army to create confusion in order to conceal their refusal to negotiate a solution. This is what was behind the monstrous murders on 12 January 1990 in Guatemala of Hector Oquelí, the Deputy-Secretary of the National Revolutionary Movement of El Salvador, and of Gilda Ampara Flores Arevalo, a member of the

Social Democratic Party of Guatemala. This tragic incident highlights the fact that there are no guarantees or any protection for the exercise of one of the most important human rights, that of free participation by opposition groups or individuals in the political life of a country. This is all the more serious because one of the persons concerned had returned to El Salvador from exile under the protection of the provisions of the Esquipulas II Agreements allowing access to the country's political life for all citizens of El Salvador who had previously left the country.

Consequently, the International League for the Rights and Liberation of Peoples requests the Commission on Human Rights to renew the mandate of the Special Rapporteur responsible for investigating the tragic situation prevailing in El Salvador.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/26
31 January 1990

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session

Item 13 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

The human rights situation in Guatemala

1. On 12 December 1989 at San Isidro de Coronado, Costa Rica, the five Presidents of Central America signed a joint declaration that contains one item which is within the specific competence of the forty-sixth session of the Commission on Human Rights, more specifically its agenda item 13.

2. Paragraph 9 of the Declaration of San Isidro de Coronado states: "The Central American Presidents, in accordance with the Esquipulas II Agreements, reaffirmed their commitment fully to respect human rights, including the civil, political, economic, social and cultural rights laid down in their respective Constitutions and in the international agreements they have signed and ratified".

3. Unfortunately, this frequently proclaimed commitment has remained a dead letter in Guatemala.

4. What has actually happened in that country since the change of Government in 1986? And what does the situation look like today, more than four years later?

5. In the opinion of the International League for the Rights and Liberation of Peoples, a brief historical review might be helpful.

6. There is no doubt whatsoever that, since 1954, Guatemala has experienced a continuing atmosphere of repression and of violation of all human rights. These violations and acts of repression have gone through different phases; the latest, which began in 1978 under the Lucas García Government and continued under the Ríos Montt and Mejía Victores régimes, should nevertheless have ended in 1986, thanks to the new civilian Government, which had stated that repression was now a thing of the past and that no human rights violations would occur under the civilian Government (Guatemalan Human Rights Commission, January 1986).

7. It soon became clear that that was not at all the case, and the Government stated: "All the enforced disappearances, torture and assassinations represent ordinary crimes, which the Government will use the authority of the law to fight" (Guatemalan Human Rights Commission, June 1986 and April 1987).

8. Thanks to that doubtful explanation, the Government obtained significant economic assistance from the European and Latin American countries and the United States of America to strengthen and modernize its police force, which, under the SIPROCI (Citizens' Protection System), is answerable to the army high command. Thus this assistance has actually served to strengthen the repression against the popular and democratic forces. Proof of this is the fact that mass killings, which had not occurred for many years, started up again worse than ever. Mention may be made of El Aquacate, where in November 1988 22 persons were murdered, an event that was shamefully manipulated by the Government.

9. In view of the deterioration in the social, political and economic situation due to the strengthening of the repression, it was claimed that "reactionary sectors, who have never been used to living under a peaceful régime, are responsible for this repression".

10. Subsequently, the attempted coups d'état and the reappearance of the "death squads" led to new violations, which the Government was powerless to remedy. In August and September 1989, faced with complaints from human rights organizations, both national and international, and with proof of the participation of the security forces, the government authorities were forced to admit that the security forces and the army had been infiltrated by elements of the extreme right and by dissident military staff over whom the Government had no control.

11. The persistence of systematic and endemic violations of the rights of individuals and the people is becoming more and more obvious in Guatemala, with the continuation of extrajudicial executions, assassinations, torture, abductions and disappearances of members of the political opposition, such as Danilo Barillas, a member of one of the government Christian Democratic Party factions. These criminal acts are always aimed at popular leaders and representatives, such as Carlos Humberto Cabrera Rivera of the teachers' union,

young members of the University Students' Assciation (AEU), members of the Sole Representation of the Guatemalan Opposition (RUOG), and various ethnic communities, such as Amilcar Mendez Urizar and the CERJ (Ethnic Communities Council, "Runujel Junam"). One of the most flagrant examples of these violations was the abduction and brutal murder of 13 leaders of student movements at the University of San Carlos, seven of whose bodies were found.

12. This situation was outstandingly brought out by the representative of France to the United Nations General Assembly in his statement on behalf of the 12 Member States of the EEC on 20 November 1989:

> "In Guatemala, after a marked improvement, the situation seems again to be deteriorating. It is true that the constitutional Government appears to be making an effort to end the violence that is bathing the country in blood. However, disappearances and summary executions are continuing to occur in large numbers and even appear to be increasing. The international community was particularly shocked, last September, by the abduction and murder, under atrocious conditions, of students from the University of San Carlos. Several information sources, including some within the military system, have acknowledged that members of the army and security forces might have been involved in those murders. We encourage the Government of Guatemala to put an end to such acts and to bring the culprits to trial. We consider it essential for the United Nations to continue to follow the situation in Guatemala closely".

13. Other countries attending the same General Assembly session, namely Sweden, Spain, Australia and Canada, emphasized the growing seriousness of the violations attributable to members of the army and security forces, and suggested that the Commission on Human Rights should review its resolution 1987/53 of 11 March 1987 and examine that situation at its following session under the appropriate item of its agenda (statement by Canada).

14. According to the information of the Guatemalan Human Rights Commission for the period 1 January-30 November 1989, there were 376 extrajudicial executions, 121 enforced and involuntary disappearances and 15 massacres, causing 64 deaths.

15. It should also be mentioned that, according to the Council of Hemispheric Affairs of Washington, at the end of 1988 Guatemala already had the sad privilege of being "the worst violator of human rights in Latin America". Even more serious, the same organization reported in September 1989 that the total number of politically motivated assassinations, enforced disappearances and cases of torture between July and September 1989 had exceeded the total recorded for the entire year of 1988.

16. It is therefore evident that the human rights situation in Guatemala has been steadily deteriorating, in particular since January 1988, which is especially surprising since that was the starting date for the implementation of the programme of advisory services and technical assistance in the field of human rights. The only explanation seems to be that the military apparatus, far from taking advantage of the advisory services designed to enable the Government to bring the "rebellious" military sectors under control, felt sufficiently protected vis-à-vis the international community to launch a new wave of repression.

17. The omnipotence of the military might also be explained by the fact that, among the measures repeatedly announced by the Government, there is no mention of the only measures that might have effectively prevented those violations, namely the dismantling of the repressive apparatus, a serious inquiry into the reported disappearances, the trial of those responsible and the punishment of the hundreds of persons who have committed political crimes in the country.

18. The assassinations of Hector Oquelí, Deputy Secretary of the National Revolutionary Movement of El Salvador, and Gilda Amparo Flores Arevalor, a member of the Social Democratic Party of Guatemala, on 12 January 1990, are the most recent illustration of the impunity enjoyed by certain sectors and groups.

19. The foregoing once more emphasizes the fact that it is not sufficient for fundamental rights and freedoms to be solemnly proclaimed in legislative or constitutional texts, but that they absolutely must be reflected in an unshakeable will to establish democracy, the only way to guarantee respect for them.

20. Although democratic elections are in themselves a positive step towards the establishment of a State under the rule of law, they do not necessarily make it possible to end certain social, economic, ethnic and political conflicts which are at the root of a situation in which neither individuals nor the people as a whole can enjoy their fundamental rights. These are the causes of the internal armed conflict that has been raging in Guatemala for more than 28 years and which was acknowledged by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 1984/23, but whose existence is denied by the Government and the army, which have been attempting in this way to justify their failure to implement the Esquipulas II Agreements.

21. As stated by Monsignor Quezada Toruño, Chairman of the National Reconciliation Commission, by the COPPPAL (Standing Conference of Latin American Political Parties) and by the Guatemalan National Revolutionary United Front (URNG) in its comments on the Declaration of San Isidro de Coronador, "the Guatemalan Government and army must recognize the existence of the internal armed conflict and immediately begin talks with the parties to the conflict. This is the only way to find an acceptable solution and avoid a confrontation which would only lead to painful and unpredictable results".

22. Given the ineffectiveness of two years of advisory services in the field of human rights and in view of the forthcoming elections planned for the end of 1990, the League considers it its duty to repeat the urgent appeal made by the representatives of the States mentioned above. It might be pointed out in that connection that even the Human Rights Commission of the Congress of the Republic of Guatemala, among other human rights defence bodies, requested, in a resolution dated 12 September 1989, that a proposal should be made to the effect that a special rapporteur should be appointed by the United Nations Commission on Human Rights.

23. For this reason, the International League for the Rights and Liberation of Peoples invites the Commission on Human Rights to declare that there currently exists in Guatemala a situation that reveals a consistent pattern of gross violations of the rights of individuals and the people and to designate a special rapporteur to examine that situation.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/27
31 January 1990

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 12

QUESTION OF THE VIOLATON OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[22 December 1989]

1. The Women's International Democratic Federation would like once more to repeat its position with respect to the violations taking place in El Salvador and reaffirm its concern over the continuation of this situation.

2. The civil war that has been going on for over 10 years in that country has had negative repercussions on the Salvadorian family, and it is the women who are the hardest hit by the absence of sons, husbands and close relatives.

3. There are thousands of cases of women who have been seized, made to disappear, murdered, tortured and subjected to defamatory campaigns and death threats during these years of conflict. During 1989, there was an increase in atrocities against the civilian population by the armed forces of El Salvador and by paramilitary groups.

4. The high levels of violence have forced thousands of Salvadorians to emigrate to other countries in the hope of improving their living conditions, to the detriment of their cultural identity. This has caused a disintegration of the family and has increased the number of women "heads of household". The Women's International Democratic Federation (FDIM) requests the Commission on Human Rights to renew the functions of the experts appointed to investigate the complaints of repeated violations of human rights in El Salvador, in particular those affecting women and children, as was decided at the forty-fifth session of the Commission. Similarly, the FDIM requests the Commission to do everything in its power to end the violations and asks it to exert its eminent influence upon the Salvadorian authorities to foster the continuation of the dialogue between the conflicting parties in order to achieve a political solution and thus meet the legitimate demands of the Salvadorian people.

UNITED NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/CN.4/1990/NGO/28
29 January 1990

ENGLISH
Original: ENGLISH/FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 7 of the provisional agenda

THE ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE COLONIAL AND RACIST REGIME IN SOUTHERN AFRICA

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[22 December 1989]

1. The Women's International Democratic Federation (WIDF) supports the holding of special sessions of the United Nations General Assembly on apartheid and the destructive consequences of the régime of racist South Africa. The WIDF thanks the Commission on Human Rights for having put item 7 on the agenda of its forty-sixth session and considering it concurrently with items 6, 16 and 17b.

2. The WIDF supports activities at national, regional and international level for special action against the apartheid régime and its destructive consequences in southern Africa and calls for strict implementation of restrictive measures against South Africa.

3. The WIDF agrees with resolutions submitted to the General Assembly at its forty-third, forty-fourth and forty-fifth sessions under agenda items 25 and 36: Policies of apartheid of the Government of South Africa.

4. The WIDF believes that the most basic human rights, the right to life, for millions of people in southern Africa remains a monopoly decision by South Africa. The racist South African apartheid régime violates all fundamental rights of the people.

5. The WIDF is concerned about the present situation in the region of southern Africa. South Africa has imposed a brutal and barbaric war on the whole region of southern Africa, resulting in untold loss of life, destruction of property and massive displacement of innocent people, in particular women and children.

6. The WIDF condemns South Africa's racist policy. South Africa has coldly and maliciously set out to destroy the economies of the front-line States, adding to the suffering of women and children.

7. The WIDF strongly supports the applying of comprehensive sanctions against South Africa as the only peaceful means left to induce South Africa to create the conditions for a negotiated settlement of the conflict inside its borders and thereby extend peace to the whole region.

8. In this context the WIDF supports the call by the Non-Aligned Movement in its Belgrade September 1989 Summit Meeting in its declaration on the situation in southern Africa, for convening by the United Nations in 1990 an international conference devoted to the destabilization of activities of South Africa.

9. The WIDF believes that this conference will go a long way in proving to the world that immaterial of de Klerks' statements on reforms in South Africa, the peoples of South Africa, especially women and children, have been denied their rights through South Africa's destabilization and aggression policies.

10. The WIDF urges this Commission on Human Rights to undertake concerted international action for the elimination of apartheid.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/29
31 January 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 14 of the agenda

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENT

Written statement submitted by the World Federation for Mental Health, a non-governmental organization in consultative status (Category II)

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[31 January 1990]

CONDITIONS OF PATIENTS IN GREEK PSYCHIATRIC HOSPITALS, WITH SPECIAL REFERENCE TO THE HOSPITAL OF LEROS

1. The World Federation for Mental Health draws to the Commission's attention, with a request for urgent action, the degrading and inhuman conditions under which so-called patients in Greek State mental hospitals are living. These appalling conditions are experienced in varying degrees by the 10,000 patients in 10 State psychiatric hospitals in Greece, of which Leros is a glaring example. This submission focuses, therefore, on the situation in Leros but the request of the Federation is for attention by the Commission to the Greek mental health service as a whole.

2. The information on which this submission is based comes from a variety of sources which include personal visits to Leros by members of the European Regional Council of WFMH and other senior members of WFMH; discussions with Greek officials and mental health workers; information from the European Commission; information from members of the EC special commission which was set up to advise on reform of the Greek public psychiatric sector; participation in seminars; reports and news items; film and video presentations of the actual conditions in Leros.

3. These conditions have been known outside Greece since 1981. In March 1982, when the Greek Government requested increased financial help in general terms from the European Community, the Commission's agreement to provide it included measures to make improvements in several fields and referred to the crucial mental health situation as follows:

> "It is broadly accepted that psychiatric care is totally inadequate. The manner of dealing with psychiatric patients is often close to the limits of denial of the most basic notions of human dignity. Radical reform is needed to change this intolerable situation."

4. In December 1983, at the request of the Greek authorities, the EC set up a special commission in the form of a team of experts to make recommendations for a reform programme based on small units with family and community support. This commission was asked to work speedily and in 1984 it presented its report, recommending a series of phased programmes for each psychiatric site to reform its psychiatric provision over a four-year period to 1988. Half the funding was to come from the EC and half from the Greek Government. By 1988 only 30 per cent of the 60 million ecus allocated had been spent and the Greek Government applied to the European Parliament for an extension and this was agreed.

5. Up to 1990 little progress has been made in reforming conditions that were described in 1983 as intolerable, despite repeated intervention by the EC, seminars and discussions by a succession of expert groups - including the original EC reforming commission - and repeated exposure in the international press and media. There are reports and documents which describe the Leros State Therapeutical and General Hospital where 1,130 mentally ill and mentally handicapped people (undifferentiated) are kept, many in conditions of filth, naked, strapped or chained to beds. Of the 165 patients in the Children's Hospital - some of them adults - only 15 per cent leave their beds and all live in a stench of urine and excrement.

6. On each occasion that the scandalous situation has been brought to public attention, the Greek authorities expressed a determination to introduce change as a matter of urgency. On at least one occasion a Minister of Health has visited Leros and said he was appalled and ashamed, and would take priority action to reform the situation. Each time, when the publicity ceased, the will for change seems to have disappeared.

7. There have been piecemeal efforts to effect improvements in Greece, and in some areas mental health services are rather better than they were. This is not the case in Leros (or in other mental hospitals) which seems not to have benefited from the various initiatives to train mental health workers in other EC countries. Nor has there been any persisting improvement from schemes whereby experienced mental health workers from EC countries (notably from the Netherlands) have for periods of time worked alongside Greek workers in Leros in order to demonstrate and teach good practice in care and treatment of mentally ill and mentally handicapped people.

8. The World Federation for Mental Health has for several years been offering its considerable experience in the form of practical and positive help to the Greek authorities. Our offer has not been taken up but we shall continue to make it. However, we are now convinced that the intervention of the Commission on Human Rights has also become essential, to bring to an end an intolerable and cruel neglect of human beings.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/30
31 January 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 5 of the agenda

VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS

Written statement submitted by the International Organization of Journalistsa non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[17 January 1990]

1. The International Organization of Journalists (IOJ) draws the attention of the forty-sixth session of the United Nations Commission on Human Rights to the continued flagrant violation of human rights by the South Africa régime. That apartheid is still entrenched in that country is a violation of values enshrined in the Human Rights Charter which serves as a guideline to society in regards the respect which should be accorded to every human being today. As is known by now, apartheid nurtures on brutality, general harassment, detention, imprisonment and unlawful execution, of those who oppose it.

2. Over 1,000 people are in detention in South Africa for political activities, a further 300 are on death row and of these 80 for politically related "offences". In a bid to blind the international community from seeing the horror of this repression, the Pretoria régime has promulgated over the years a series of laws curbing both the international and national media. Since the Emergency Laws were declared, a few years ago, several foreign and local journalists have been expelled or detained inside the country.

Newspapers have been banned. Under the laws, reporters, cameramen and photographers are barred from covering incidents of unrest. Effectively, it means that journalists are required to leave immediately unrest breaks out at any event!

3. Newspapers are barred from publishing speeches or interviewing "banned persons" that is, persons officially silenced. While the new leadership of the Pretoria régime in the person of F.W. de Klerk is frantically trying to impress the world as being reformist, the essence of apartheid is still very much entrenched.

4. This is seen more clearly from the Government attitude towards the media and journalists. The weekly newspaper New Nation published by the Catholic Bishop's Conference of South Africa is under renewed threat of banning by the authorities for alleged subversion. This follows publication by the New Nation of speeches made by the celebrated eight ANC officials released by the de Klerk régime, at a public rally organized for their welcome, from prison. Their speeches were actually reported in other publications inside and outside the country. Other articles published by the newspaper cited as subversive were: a report on a UDF delegation meeting the British Prime Minister, Mrs. Margarat Thatcher, a report on the UDF meeting with the United States President, George Bush, and a protest by Archbishop Hurley protesting against removals.

5. The editor of this paper, Zwelakhe Sisulu, was initially banned for three years in 1980, and in 1981 was detained in solitary confinement. He was detained again in 1986 and was only released in late 1988. Despite that release, Sisulu is a restricted person. He cannot practise his profession, he must report to the police twice a day. He cannot engage in political activities or discussion and receives harassing night visits from the police.

6. Other editors of such newspapers as the Weekly Mail, the Natal Witness South, Vrye Weekblad and the Sowetan during the past twelve months were frequently visited by the police who notified them that they wanted to open dossiers against them and took statements from the editors on a variety of allegations under the Emergency Regulations, the Internal Security Act and the Police Act to mention just a few of the several laws that are in practice in that country aimed at curbing the media. Some publishing houses were raided by the police under the pretext of what the police called "routine investigations". These include the Ravan Press, the Other Press Service, Learn and Teach Publications, Skotaville and South Africa Research and AD Donker Publishers.

7. Some of the editors who appeared before the courts in South Africa on such charges as the Internal Security Act and for contravening the Emergency Regulations are, Aggrey Klaaste, editor of the Sowetan, Gabu Tugwena, acting editor of the New Nation, Anton Harber, co-editor of the Weekly Mail and Thami Mkhananzi, reporter on the Weekly Mail, Max du Preez, editor of Vrye Weekblad, Mohamed Rafiq Rohan, news editor on the Post Natal, Veliswa Mhlawuli, journalist on Grassroot, and Derick Jackson, editor of Saamstan.

8. Besides the incidents inside South Africa, the apartheid policy also is instrumental in the tragedy afflicting independent States in southern Africa. The economies of all Southern African countries have suffered from both economic and armed sabotage by the Pretoria régime, and from its destabilization policy. The support by the Pretoria régime of armed bandits

in Mozambique and Angola has had a detrimental effect on all spheres of life in those two countries and their neighbours. For example, 25 children are dying every hour from the effects of war in the region. Since 1980, a million people have died as a direct or indirect result of the situations in Mozambique and Angola. In Mozambique an estimated total of 3.3 million lives are threatened with famine caused not by natural disaster but by the unstable security situation. That country has up to half a million traumatized children, orphaned or abandoned as a direct result of the security situation.

9. The IOJ implores the Commission on Human Rights to exert its influence on the international community to call for an end to this deplorable political system of the Pretoria régime. As a professional body committed to the promotion of the higher ideals of mankind, including the respect of human life and democracy, the IOJ is willing to be part of that process towards the eradication of the apartheid system.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/31
31 January 1990

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization in consultative status (Roster)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[22 December 1989]

The question of the impunity of perpetrators of serious human rights violations

1. Allowing the perpetrators of serious human rights violations to go unpunished is tantamount to leaving the machinery intact and to condoning the conduct that enabled such crimes to be committed and to shirking a fundamental responsibility to the future: namely protecting the basic values of civilized coexistence.

2. New rules of international law are being drafted to prevent certain serious crimes from going unpunished, to ensure that they do not fall under the statute of limitations and to make the perpetrators subject to extradition, to universal jurisdiction, etc.

3. This undeniable advance in international law contrasts with the situation today in many countries, where impunity is the rule and is achieved by such means as simply neglecting to prosecute the guilty or using more or less legal devices in the form of laws or decrees which establish exemption from

responsibility, based on the duty to obey (Argentina), "suspension of the State's claim or right to punish" (Uruguay), amnesty (Brazil and Chile), pardon (Argentina), and so on. A recent case was the virtual abduction by a foreign power (United States), with the collaboration of another (France), of the witness to the murder of a group of priests and two women in El Salvador.

4. However, a new method of ensuring impunity has recently been developed: crippling the administration of justice by terror or by acts we would not hesitate to describe as veritable genocide of the judiciary. This is what is happening now in Colombia and, to a lesser degree, in Guatemala.

5. According to data provided by the Colombian League for the Rights and Liberation of Peoples and by over 70 Colombian agencies, during the inquiry held by the Permanent Peoples' Court into impunity in regard to crimes against humanity in Latin America, there were 8,046 violent deaths in Colombia in 1988, 5,337 during the first nine months of 1989, in other words, 13,383 in less than two years; 309 disappearances on political or allegedly political grounds; 349 abductions; 591 casualties during political attacks; 51 cases of torture over 14 months; 1,704 detentions on political or allegedly political grounds, death threats, attacks, etc.

6. There have been human rights violations in Colombia for decades and they rose sharply at the end of the 1980s. Most of these violations have gone unpunished.

1. The mechanisms of impunity

7. State security agencies have used such illegal repressive methods as detention and torture to prepare murders (massacres on the "Honduras" and "La Negra" banana plantations in Urabá, and the mass killing of 43 persons in Segovia, Antioquia) or misused their powers to carry out intelligence operations and raids and to arrest or hold people.

8. Another way of providing impunity is to conceal the identity of the attackers from the victims, their relatives or witnesses.

9. The involvement of members of different security agencies in the operations, and the illegal use of civilians in security agencies, make any criminal or disciplinary investigation difficult.

10. The establishment of self-defence groups which can or do make private use of weapons belonging to the armed forces has been legalized and this has contributed to the perpetration of numerous crimes that are still unsolved. (This legal provision has been declared unconstitutional by the Supreme Court of Colombia.)

11. Because no records are kept of either the operations that lead to arrests or of the names of persons who are arrested and held in military and police premises or prisons, it is easy to make people disappear. The authorities which conduct the preliminary inquiries destroy or tamper with the evidence, and this produces the same result.

12. The refusal of the authorities to admit any complaints about acts which violate human rights is a crucial factor in the question of impunity and prevents any inquiry from being held.

13. Witnesses or complainants in cases of serious human rights violations are intimidated, witnesses are murdered or made to disappear. These are the worst tactics used to prevent crimes from being solved.

14. The fact that certain acts are not specified as crimes under Colombian criminal law is another tool used to secure impunity. Forced disappearances, for example, do not constitute punishable offences and this factor has been decisive in not initiating criminal inquiries into such cases.

2. Military jurisdiction and impunity

15. Article 170 of the Colombian Constitution defines the application of military jurisdiction as follows: "Courts-martial or military tribunals shall take cognizance ... of all offences committed by military personnel on active service and in connection with such service ...". Under the Military Penal Code, military tribunals are competent to deal with ordinary offences "committed by soldiers on active service or by civilians in the service of the armed forces in time of war, armed conflict or disturbance of public order and internal commotion".

16. The new military Penal Code, which has been in force since 12 June 1989, extends the scope of application even further.

17. This extension of military jurisdiction has had serious consequences: the trial judge performs the same duties as the military commander and, therefore, is often both judge and defendant.

18. Case law has maintained a broad interpretation of military law and in 40 years of an almost uninterrupted state of emergency, all offences committed by soldiers on active service have remained under military jurisdiction.

19. The trials of soldiers accused of belonging to the MAS ("Death to Kidnappers") group, which is paramilitary, reveals a great deal about the scope of this interpretation. In 1983, the Attorney-General of the Nation publicly accused 163 persons of belonging to this paramilitary group; 59 were members of the armed forces and the police. The group was guilty of over 100 murders and disappearances. The disciplinary court had to decide who was competent to try the soldiers accused of perpetrating crimes against humanity and ruled that active service "is permanent defence of the nation".

20. As from 1984, with the sharp increase in human rights violations, the Supreme Court interpreted the concept of active service in a more restrictive manner and that was a step forward.

21. Yet the practice of the military courts has proved that they have contributed in no small measure to preventing the punishment of persons guilty of serious human rights violation, either because the soldiers have been both judge and defendant or because the military courts have shelved the case after a brief preliminary investigation, or else dragged it out indefinitely or dismissed it or acquitted the defendants despite ample evidence for the prosecution or because the courts have declared the human rights violations lawful and justified.

22. Military jurisdiction can also impede inquiries by the ordinary criminal courts, when such inquiries reveal evidence against members of the armed forces.

23. This state of affairs has grown worse with the state of emergency, which has increased the duties of the armed forces even more, and with the creation in 1988 of the Special Courts of Public Order under Decree No. 180, known as the "Defence of Democracy Statute" or the "Anti-Terrorist Statute". It has buttressed the repressive apparatus and reduced the safeguards for the accused.

24. Military jurisdiction also undermines the remedy of habeas corpus, which is established in Colombian law. The rules and regulations of the state of emergency are such that this remedy is virtually inoperative because it is so difficult to push through the courts.

25. The Government of Colombia feels no responsibility for the fact that human rights violations go unpunished, although it does recognize that some of them have been committed by isolated individuals in the security forces.

26. The Government of Colombia has taken a number of steps against impunity. For example, it has ratified some international covenants and conventions on human rights and has adopted other measures such as specifying in law that torture is a crime, and adopting the new Military Penal Code.

27. The Government has also created a technical corps of the judicial police under the command of the National Criminal Investigation Department, a security fund for the judiciary, a system of special public order courts, and so on.

28. The anti-paramilitary measures it has taken include criminalization and penalization of the activities of vigilante groups and of hired gunmen, and the establishment of a special armed corps to fight them.

29. Various specialized government human rights agencies have been formed, i.e. the Attorney-General's Office for Human Rights, the Special Investigation Unit of the Attorney-General's Office, the Office of the Presidential Adviser for the Defence, Protection and Promotion of Human Rights.

30. Through the Office of the Presidential Adviser for Human Rights, the Government wishes to begin human rights teaching at the municipal, regional and national levels and so promote and disseminate human rights.

31. It has also reformed the Offices of the official municipal representatives and in 1988 it set up an inter-agency working group to deal with inquiries from international organizations about human rights violations.

32. The Colombian authorities claim that they dismantled 17 paramilitary groups between November 1987 and December 1988, captured 403 hired gunmen, and dismissed 1,269 members of the police force who had violated human rights.

33. There is no doubt that these measures were taken, but the paramilitary groups are still committing murders in Colombia. The number of persons killed grows larger from day to day, the civil courts are powerless and lack the means and protection necessary, judges are killed for simply performing their duties.

34. A large proportion of the Colombian press has links with the economic or political groups that run the country and is either unaware of or has chosen not to tell the country about the serious violations of citizens' rights. They sometimes divert public attention to avoid providing information about certain events or justify acts by the perpetrators of serious violations. The attitude of some of the companies in the media has to a certain degree facilitated impunity in the case of crimes against humanity.

35. Journalists who are a credit to their profession are murdered; more than 10 of them have been killed in recent months and the Journalists Association has made unceasing demands for these crimes to be investigated because so far it says that "they have gone completely unpunished".

36. Violence, in all its forms, is causing increasing concern in Colombia every day. The root causes are many and varied. However, the rise in crimes against humanity, such as forced disappearances, extrajudicial executions, torture and political killings, all add up to an extremely serious state of affairs. In order to end it, these crimes must be punished and the judiciary must, therefore, enjoy the necessary protection and guarantees to discharge its duties.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/32
31 January 1990

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda items 9 and 12

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[31 January 1990]

Self-determination of peoples

1. Since its foundation in 1976, the International League for the Rights and Liberation of Peoples has paid particular attention to the right of peoples to self-determination. The Universal Declaration on the Rights of Peoples, proclaimed in Algiers on 4 July 1976, devotes section II to the right to political self-determination and section III to the economic rights of peoples.

2. With reference to political self-determination, the Algiers Declaration states:

> "Article 5. Every people has the inalienable right of self-determination. It shall determine its political status in complete freedom and without foreign interference.
>
> "Article 6. Every people has the right to free itself from any colonial or foreign domination, direct or indirect, and from all racist régimes.
>
> "Article 7. Every people has the right to a democractic régime which represents all citizens, without distinction as to race, sex, creed or colour, and is capable of ensuring effective respect for human rights and fundamental freedoms for all."

3. The struggle of peoples for the right of self-determination is inevitable and constant, since the major Powers have systematically violated this right in the name of "civilization", "democracy", "socialism" and doctrines in line with their imperial designs, such as the Monroe doctrine in the nineteenth century and the Brezhnev doctrine of "limited sovereignty" in this century.

4. The doctrine of a former United States President, James Monroe, set forth in his message to Congress of 2 December 1823, was formally directed against European ambitions in the Americas, but was in fact the starting-point for an uninterrupted series of direct or indirect interventions by the United States in Latin America and the Caribbean, interventions which continue today.

5. In the name of the "manifest destiny" of the United States, armed interventions in Latin America alone number about 130 in a century and a half. And in the past 45 years mention may be made of: Guatemala (1954), Cuba (1961, Bay of Pigs), Santo Domingo (1964), Panama (1964, where United States troops massacred Panamanian citizens demanding the implementation of the Chiari-Kennedy Agreement of 7 July 1963, stipulating that the Panamanian flag should fly in the Canal Zone), Chile (1973, for which a representative of the United States Government made an apology at an international meeting), Granada (1983), the financing and logistical support for the Nicaraguan "Contras" up to the present day, the presence of United States troops in Honduras, and of advisers in Guatemala and El Salvador, and the invasion of Panama on 20 December 1989.

6. In the name of "civilization", West European countries have systematically violated the right of African peoples to self-determination: Congo (now Zaire, 1960-1964), Gabon, Chad, Angola, Nigeria (the Biafran war), Shaba I, Shaba II (Zaire), etc.

7. Invoking the doctrine of "limited sovereignty," and in order to preserve the gains of socialism, the Soviet Union has repeatedly violated the right to self-determination of the peoples of such countries as East Germany, Hungary, Czechoslovakia, Poland and Afghanistan. The doctrine of "limited sovereignty", now abandoned by the Soviet Union, has been energetically taken up again by the United States, which has arrogated to itself the right to intervene militarily in any country in Latin America or the Caribbean whose rulers or politico-economic systems are not to their liking, on the real or supposed pretext of the drugs traffic, the absence of democracy, etc. Thus, the United States has set itself up, on the sidelines of the international community, as supreme arbiter of the fate of the Latin American peoples. The

most recent and flagrant examples are the maintaining - through the "Contras" - of military pressure on Nicaragua, which is in the middle of the electoral process supervised by the international community (the reports produced so far by the United Nations Observer Mission have given a positive evaluation of this process), and the invasion of Panama.

8. This invasion, whose ultimate aim is the repudiation of the Torrijos-Carter Treaties of 1977 and the indefinite prolongation of the United States military presence in the isthmus, opposing the liberation struggles of the Latin American peoples, through a Southern Command, is a flagrant violation of the Charter of the United Nations (Preamble and Art. 1, paras. 1 and 2), the International Covenant on Civil and Political Rights (art. 1), the International Covenant on Economic, Social and Cultural Rights (art. 1) and other fundamental principles of international law (that of pacta sunt servanda, among others).

9. The military attack on, and aerial bombardment of, Panama have destroyed working-class districts and caused numerous civilian victims, whose numbers remain a close secret.

10. The occupation troops have arrested several thousand persons, who remain imprisoned in concentration camps, have raided private homes and trade-union premises (including those of the journalists' union), have occupied school buildings, some of which they are using as barracks, have invaded diplomatic residences, surrounded others and detained diplomats, and have engaged in a campaign of military and psychological harassment of the Papal Nunciature, forcing the Nuncio to surrender to General Noriega, in violation of the Vienna Conventions on the immunity of diplomatic representatives and the right to asylum. This invasion has greatly jeopardized the peace process in Central America and the lives and security of the peoples of Latin America and the Caribbean.

11. The International League for the Rights and Liberation of Peoples suggests to the Commission on Human Rights that it should follow the example of the Organization of American States, the United Nations General Assembly and the European Parliament in condemning these serious breaches of international law, and calling for the immediate withdrawal of United States troops from Panama and the implementation of the Tela accords on the demobilization of the Nicaraguan "Contras".

12. The International League for the Rights and Liberation of Peoples further suggests to the Commission on Human Rights that it should send an observer group to Panama to investigate the situation of human rights there, rights which, as all the evidence shows, are being violated in a massive, systematic and flagrant manner.

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UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1990/NGO/33
2 February 1990

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 20

RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[31 January 1990]

1. The International Federation of Human Rights welcomed with great satisfaction both the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, begun in 1979 by the Commission on Human Rights, and the study on ways and means to facilitate the peaceful and constructive resolution of situations involving minorities, undertaken in 1988 by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. In 1989, the Federation welcomed the Sub-Commission's decision to entrust Mr. Eide with the task of preparing a report, to be submitted at its forty-third session, on national experiences in this regard (Sub-Commission resolutions 1988/36 and 1989/44).

2. Nonetheless, having carried out a series of missions in 1989 to the east European countries, and having received the reports of the human rights leaques of those countries, which met recently in Praque, the Federation

wishes to convey to the Commission on Human Rights its deepest concern about cases of flagrant and systematic violations of the rights of members of minorities, as well as the rights of minorities as such, in many east European States.

3. Therefore, pending the transmission of these reports to the United Nations and recalling General Assembly resolution 217 (III) of 10 December 1948, by which the Assembly requested the Sub-Commission to study effective measures for the protection of minorities, the Federation would request the Commission to define clearly the mandate of the Rapporteur appointed to study national experiences, requesting him to report annually to the Sub-Commission on information from all reliable sources concerning the situation of national, ethnic, religious and linguistic minorities. This report should be prepared in accordance with the same procedure as that followed by the expert appointed to examine human rights in states of emergency.